

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

Docket # _____

**STIPULATION WITHDRAWING APPEAL FROM ACTIVE CONSIDERATION,
WITHOUT PREJUDICE, WITH LEAVE TO REACTIVATE**

The undersigned counsel for the parties hereby stipulate that the above-captioned appeal is hereby withdrawn without costs and without attorneys' fees and without prejudice, subject to reactivation of the appeal by appellant's counsel by written notice to the Clerk of this Court by _____; and if not thus reactivated, the appeal shall be deemed withdrawn with prejudice.

Withdrawal of the appeal from active consideration shall not operate as a dismissal of the appeal under F.R.A.P 42(b).

Attorney for Appellant

Attorney for Appellee

Dated:

Counsel: Please print name and
firm under signature